

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY ARTHUR REHBERG,

Defendant.

CASE NO. MJ 16-063

DETENTION ORDER

Offense charged: Possession with Intent to Distribute Methamphetamine and Heroin

Date of Detention Hearing: February 16, 2016.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is charged by Complaint with the above-referenced offence, alleged to have engaged in selling controlled substances from the premises of a clean and sober facility owned and managed by him, for which he received funding from various state agencies. A

1 loaded firearm was also allegedly found on the premises.

2         2. Defendant's criminal record includes numerous failures to appear for court  
3 hearings, with resultant bench warrant activity. In fact, his lengthy criminal record shows  
4 defendant almost always fails to appear for court on multiple occasions after being charged with  
5 an offense. He has a number of convictions for domestic violence assault and a violation of a no  
6 contact/protection order violation from November 2015 for which the defendant was wearing an  
7 electronic monitoring device at the time of his arrest for the instant charge.

8         3. Defendant poses a risk of nonappearance due to a history of failing to appear, a  
9 history of non-compliance while on supervision, and an outstanding warrant. He poses a risk of  
10 danger due to criminal history, alleged possession of a firearm, the nature of the instant offense,  
11 and the fact that the instant offence is alleged to have occurred while defendant was on  
12 supervision under the jurisdiction of another court.

13         4. There does not appear to be any condition or combination of conditions that will  
14 reasonably assure the defendant's appearance at future Court hearings while addressing the  
15 danger to other persons or the community.

16 It is therefore ORDERED:

17         1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
18 General for confinement in a correction facility separate, to the extent practicable, from  
19 persons awaiting or serving sentences or being held in custody pending appeal;

20         2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;

21         3. On order of the United States or on request of an attorney for the Government, the person  
22 in charge of the corrections facility in which defendant is confined shall deliver the  
23 defendant to a United States Marshal for the purpose of an appearance in connection with

1 a court proceeding; and

- 2 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for  
3 the defendant, to the United States Marshal, and to the United State Pretrial Services  
4 Officer.

5 DATED this 16th day of February, 2016.

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7 Mary Alice Theiler  
8 United States Magistrate Judge  
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